

10/530,077

PCT 1990 (Rev. 02-2005)

Approved for use through 9/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 04306/0202707-USO
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/530,077
INTERNATIONAL APPLICATION NO. PCT/BR2003/000145	INTERNATIONAL FILING DATE 8 October 2003	PRIORITY DATE CLAIMED 9 October 2002
TITLE OF INVENTION SUCTION VALVE FOR A SMALL HERMETIC COMPRESSOR		
APPLICANT(S) FOR DO/EO/US Marcos G. Bortoli et al. #4, #5, #6, #7		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☒ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Copy of Corrected Version of Publication WO 2004/033907 A1; Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the U.S. Designated/Elected Office; Certificate of Express Mail

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/530,077		PCT/BR2003/000145		04306/0202707-USO	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee ..... \$300				\$	
22. <input checked="" type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100					
All other situations ..... \$200				\$	200.00
23. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100					
International Search Report prepared and provided to the Office ..... \$400				\$	400.00
All other situations ..... \$500					
TOTAL OF 21, 22 and 23 =				\$	600.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	8 - 20 =		x	\$	0.00
Independent claims	1 - 3 =		x	\$	0.00
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				\$	
TOTAL OF ABOVE CALCULATIONS =				\$	730.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
SUBTOTAL =				\$	730.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$	
TOTAL NATIONAL FEE =				\$	730.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	40.00
TOTAL FEES ENCLOSED =				\$	770.00
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>09/29/2005 ATRAL 00000136 10530077</p> <p>02 FC:1617</p> <p>03 FC:1206</p> <p>130.00 OF</p> <p>400.00 OF</p> <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 770.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Joseph R. Robinson DARBY &amp; DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7783</p> <p><i>[Signature]</i> SIGNATURE: Louis J. DeJuidice</p> <p>NAME</p> <p>47,522</p> <p>REGISTRATION NUMBER</p>					

Repln. Ref: 01/10/2005  
 DAH:040100 Name/Number:10530077  
 FC: 5204

Application No. (if known): 10/530,077

Attorney Docket No.: 04306/0202707-US0

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. \_\_\_\_\_ in an envelope addressed to:

**EV 692130456-US**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on September 22, 2005  
Date

  
\_\_\_\_\_  
Signature  
Lillian Garcia  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

\_\_\_\_\_  
Registration Number, if applicable

\_\_\_\_\_  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Copy of Corrected Version of Publication WO 2004/033907 A1; Copy of  
Notification of Missing Requirements Under 35 U.S.C. 371 in the U.S.  
Designated/Elected Office;  
Combined Declaration/Power of Attorney (4pp)  
Assignment document for recording (3pp)  
Assignment recordation cover sheet (2pp)  
Transmittal Letter to the United States Designated-Elected Office (2pp)  
(Second Submission)  
Second Preliminary Amendment (3pp)  
Supplemental Application Data Sheet  
Check in the amount of \$770.00 9791  
Return receipt postcard



## UNITED STATES PATENT AND TRADEMARK OFFICE

*INGA Hildreth*  
 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/530,077	FIRST NAMED APPLICANT Marcos G Bortoli	ATTY. DOCKET NO. 04306/0202707-USO
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INTERNATIONAL APPLICATION NO.
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PCT/BR03/00145

I.A. FILING DATE 08/08/2003	PRIORITY DATE 10/09/2002
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07278

DARBY & DARBY P.C.  
P. O. BOX 5257

NEW YORK, NY 10150

DUE: October 8, 2005Docketed on 8/16 by DP forDocketed without file ☐

Attorney \_\_\_\_\_

CONFIRMATION NO. 7459

371 FORMALITIES LETTER



\*OC000000016714950\*

Date Mailed: 08/08/2005

3-8-06

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/01/2005
- Copy of the International Search Report filed on 04/01/2005
- Copy of IPE Report filed on 04/01/2005
- Preliminary Amendments filed on 04/01/2005
- Information Disclosure Statements filed on 04/01/2005
- U.S. Basic National Fees filed on 04/01/2005
- Priority Documents filed on 04/01/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,077	PCT/BR03/00145	04306/0202707-US0

FORM PCT/DO/EO/905 (371 Formalities Notice)

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U.S. APPLICATION NO. <b>10/530077</b>		INTERNATIONAL APPLICATION NO. <b>PCT/BR2003/000145</b>		ATTORNEY'S DOCKET NUMBER <b>04306/0202707-US0</b>	
The following fees have been submitted				CALCULATIONS	
21. <input checked="" type="checkbox"/> Basic national fee ..... \$300				\$ 300.00	
22. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100					
All other situations ..... \$200					
23. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the inter national application to the USPTO as an International Searching Authority ..... \$100					
International Search Report prepared and provided to the Office ..... \$400					
All other situations ..... \$500					
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 300.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
16 - 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	8 - 20 =		x	\$ 0.00	
Independent claims	1 - 3 =		x	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 300.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				\$ 300.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).					
<b>TOTAL NATIONAL FEE =</b>				\$ 430.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					
<b>TOTAL FEES ENCLOSED =</b>				\$ 300.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>300.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-0100</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Joseph R. Robinson DARBY &amp; DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7783 CUSTOMER NUMBER: 07278</p> <p>SIGNATURE: <u>Louis J. DelJuidice</u> NAME REGISTRATION NUMBER <u>47,522</u></p>					

FEE VALUE	
DEPOSIT ACCOUNT NO.	
<u>04-0100</u>	
FEE	VALUE
DOCS	ENCLOSURE
<u>1633</u>	<u>300</u>
<u>1642</u>	<u>400</u>